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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/567,386

04/01/2008

Nikolaos Berntenis

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151 7590 06/28/2010

HOFFMANN-LA ROCHE INC.
PATENT LAW DEPARTMENT
340 KINGSLAND STREET
NUTLEY, NJ 07110

EXAMINER

EWOLDT, GERALD R

ART UNIT

PAPER NUMBER

1644

MAIL DATE

DELIVERY MODE

06/28/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10567386	4/1/08	BERNTENIS ET AL.	21796

HOFFMANN-LA ROCHE INC.
PATENT LAW DEPARTMENT
340 KINGSLAND STREET
NUTLEY, NJ 07110

EXAMINER

G. R.. Ewoldt, Ph.D.

ART UNIT	PAPER
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1644

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DATE MAILED:

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Commissioner for Patents

The reply filed on 3/02/10 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

In the RESPONSE Applicant elected "Group 1-27+" and SEQ ID NO:49. Applicant further stated that Claims 1-2, 14, 23, and 30 encompass the provisional election.

Applicant also indicated that "it is hard to ascertain the identity of each group within this broad class".

To avoid misunderstanding Applicant is advised that Group 1 encompasses the peptide of SEQ ID NO:49. Group 2 encompasses the peptide of SEQ ID NO:50. Group 3 encompasses the peptide of SEQ ID NO:51, etc. "+" indicates that combinations of peptides may encompass additional Groups. Group 28 encompasses an antibody selective for the peptide of SEQ ID NO:49. Group 29 encompasses an antibody selective for the peptide of SEQ ID NO:50. Group 30 encompasses an antibody selective for the peptide of SEQ ID NO:51, etc. Group 55 encompasses a nucleic acid encoding the peptide of SEQ ID NO:49. Group 56 encompasses a nucleic acid encoding the peptide of SEQ ID NO:50. Group 57 encompasses a nucleic acid encoding the peptide of SEQ ID NO:51. Group 82 encompasses a method employing the peptide of SEQ ID NO:49. Group 83 encompasses a method employing the peptide of SEQ ID NO:50. Group 84 encompasses a method employing the peptide of SEQ ID NO:51, etc.

Applicant was required to elect a single Group for prosecution. Applicant elected both Group 1-27 and SEQ ID NO:49. It appears that Applicant has elected the single Group encompassed by the peptide of SEQ ID NO:49. Confirmation is requested.

Applicant stated that Claim 30 would encompass the peptide of SEQ ID NO:49. A review of the Claim, however, shows that Claim 30 encompasses only the peptides of SEQ ID NOs:40-48 and 123-141. It is unclear how the Claim further encompasses the peptide of SEQ ID NO:49. Clarification is requested.

Additionally, Claim 1-18, 23, 25, and 28 are identified as "Presently amended", but no amendments are indicated in the claims. Accordingly, the Claims are Non-Compliant.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dr. Gerald Ewoldt whose telephone number is (571) 272-0843. The examiner can normally be reached Monday through Thursday from 7:30 am to 5:30

pm. A message may be left on the examiner's voice mail service. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ram Shukla, Ph.D. can be reached on (571) 272-0878.

Please Note: Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

/G.R. Ewoldt/
Primary Examiner, Art Unit 1644